

**COMMISSION CONFERENCE****APRIL 23, 2002**

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Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, Assistant City Attorney, City Clerk, and Police Sergeant

Mayor Naugle announced that the City Commission would meet privately regarding litigation strategy in connection with the following cases:

1. Alma M. Owens, as Personal Representative of the Estate of Byron Keith Owens, deceased, v City (Case Nos. 99-521[21] and 99-6033-CIV-JORDAN);
2. Michael Chalfonte – Workers Compensation Case No. WC 89-5351; and
3. Ivett Spence-Brown v City (Case No. 00-7883-CIV-FERGUSON)

At 1:32 p.m., the meeting was recessed. It was reconvened at 3:10 p.m. Commissioner Moore was not present at this time.

#### **I-A – City Commission Redistricting Process**

A discussion was scheduled on the proposed criteria for the City Commission Redistricting process. *Mr. Kurt Spitzer*, Project Manager for the Consulting Team, noted that the back-up memorandum outlined the possible redistricting criteria the City could use, and he felt some were mandatory in terms of population being as equal as possible to avoid discriminatory effects on minority communities. Other criteria were a matter of legislative policy, such as not splitting neighborhoods or voter precincts, and being mindful of natural or manmade factors. He advised that before the maps were drafted, direction was needed from the Commission as to the criteria.

Mayor Naugle thought the political party criteria could be eliminated since this was a non-partisan body. Commissioner Hutchinson understood the intent was to come up with a percentage deviation target for population. Mr. Spitzer agreed that was correct and thought a percentage deviation equal to or less than 3% would be a good objective, and the closer to zero the better.

Mayor Naugle felt that if it came down to splitting neighborhoods or census tracts, the census tracts were less important to the public. Commissioner Smith agreed neighborhoods should absolutely not be split. Mayor Naugle thought splitting precincts should also be avoided. He knew the census block might cause a little more work. Mr. Spitzer stated that the precincts were being redrawn, and the target for completion of that effort was June, 2002. He was hopeful that would be completed before the community-wide meeting.

*Ms. Elizabeth Hays*, Secretary for the Council of Fort Lauderdale Civic Associations, said that she was a resident of District IV. She was not necessarily in favor of not splitting neighborhoods because it had resulted in two City Commissioners representing her neighborhood.

Commissioner Hutchinson understood some direction was also being sought from the Commission about the community meetings. Mr. Spitzer agreed there were three procedural issues, one of which was the community meetings. The original timeline had indicated that the first alternative map would not be presented until the June community-wide meeting, so there would be 4 district meetings held at which no alternative would be presented. Rather, a map of the existing boundaries would be presented along with information about current population, but no alternatives would be presented at that time. Mr. Spitzer said there had been some discussion about having at least three alternative maps available for the community meetings.

At 3:15 p.m., Commissioner Moore arrived at the meeting.

It was the consensus to have the alternative maps available at the first community meetings. Mr. Spitzer agreed that would be best because if there were not alternatives to show the public, it was difficult for them to react. Commissioner Moore inquired about the cost of the alternative maps.

Mr. Spitzer explained that alternative maps were built into the base price. Later in the process, the consultant would review the maps presented by outside organizations. Therefore, he suggested that outside organizations be required to present complete maps, which meant changing part of a boundary in one area necessitated corresponding changes in other areas to avoid unequal district populations. The maps would then be grouped into similar types for further filtering, and then Mr. Spitzer would work with staff on the maps the Commission wished to review. Mr. Spitzer stated that the contract cost was \$5,500 per map based on his understanding of the process at the time. However, he was willing to reconsider that portion of the contract because some maps would not be drawn from scratch.

Commissioner Moore was concerned about the map costs and inquired about hourly rates. Mr. Spitzer stated that if the City indicated which maps should be reviewed, the hourly rate was \$150. Commissioner Moore wondered how long the reviews would take. Mr. Spitzer did not know, but guessed an individual map with a minor deviation would take about an hour to review. Commissioner Moore desired a not-to-exceed contract amount. He wondered about the costs incurred by the School Board and Broward County when they had redrawn their districts. Mr. Spitzer believed the County had done it in-house.

Commissioner Smith thought the consultant should be allowed to move ahead and address this issue when it occurred. If it appeared 50 alternative maps would come in, a policy could be formulated, but he did not expect that to happen. Commissioner Moore did. Mayor Naugle and Commissioner Hutchinson felt it would be best to address the problem if and when it occurred. It was agreed, although Commissioner Moore felt these types of details were important.

Mayor Naugle believed the Commission had reached consensus on the 3% deviation with no consideration for political affiliation. In addition, there would be a concentration on neighborhood boundaries and voter precincts, with less of an emphasis on census tracts. Commissioner Moore asked why a 3% deviation was suggested in light of the population and geographic design of the City. It was noted that was a target, but the ultimate goal was 0%.

Mr. Spitzer explained that future growth would occur, and there were plans to annex certain areas. He noted that districts near areas that were going to be annexed could be under-populated to anticipate that future growth. Commissioner Smith thought that if this happened, there would have to be another redistricting scenario. Mayor Naugle wondered what the Charter called for mid-term in a 10-year cycle. Ms. Sharon Miller, Assistant City Attorney, advised that the Charter required redistricting every 10 years, but the Commission could initiate the process sooner if it became necessary.

Commissioner Katz thought under-populating a district a little in order to add areas that were expected to be annexed in a short time would be a good idea. Commissioner Moore preferred to deal with the current citizenry now, and perhaps there could be a policy that if more than 10,000 people came in, the districts would be redrawn before the next election. Mayor Naugle asked that the City Attorney's Office provide a scenario about how to accomplish it based on Charter requirements. Commissioner Moore thought a population trigger would be best. It was the consensus not to make a decision about future growth at this time.

**Action:** As discussed.

#### **I-B – Proposed Development of Konover Project – Broward Boulevard and I-95**

A discussion was scheduled on the status of the proposed development agreement between the Fort Lauderdale CRA and Broward Barron, Inc. for the Konover Project located on Broward Boulevard, just west of I-95. The City Manager noted that a written report had been distributed, and Mr. Pete Witschen, Assistant City Manager, discussed the highlights of the report. Mr. Witschen stated that the CRA Advisory Board had considered the suggested term sheet during two workshop sessions, and comments had been addressed to the satisfaction of the Board.

Mr. Witschen said the development agreement was intended to stand alone as discussed during the RFP process, so the development impact would be more than 50 acres. He advised that the City had control over 18 acres, and there were certain progress targets in the development agreement. Mr. Witschen stated that this anticipated a minimum development of about 285,000 square feet in increments of 50,000 square feet, and closing on the property was required by September 24, 2002. He advised that the demolition of all existing structures would be required by the end of this year, with construction commencing about 18 months from the closing on the property.

Mr. Witschen reported that one issue that had arisen was to ensure that the developers could obtain financing, and staff was working closely with the Housing Authority and the developer. He stated that an update would be presented to the Commission on May 21, 2002 as to the development agreement.

*Mr. Charlie Ladd*, of Broward Barron, Inc., stated that a lot of progress had been made on the terms of the development agreement associated with this complex deal. He advised that the fourth draft was under consideration, and he expected completion very soon.

Commissioner Moore thanked the Commission for "stepping out on a limb" with this particular development opportunity. He believed this was the most important development for the City at the entranceway to Fort Lauderdale along the most traveled boulevard, and he thanked staff for working so diligently. Commissioner Moore also congratulated the developer for having the vision to go forward with this project.

Commissioner Moore referred to the HUD issue. He thought that might be a dangerous situation for everyone, and some method of addressing it had to be identified. Therefore, he hoped all the resources necessary would be dedicated to bringing closure to that issue. Commissioner Moore recalled a promise made to the community and the Housing Authority tenants that there would be 100 single-family homes built in the northwest quadrant, which would be affordable. In reviewing the drafts of the development agreement, he had not found mention of that promise. Commissioner Moore wanted those 100 units mentioned in the agreement, speaking for himself.

Commissioner Moore recalled that the City had provided some lots. Mr. Phil Bacon, Redevelopment Projects Manager, advised that 12 lots had been provided. Commissioner Moore wanted the City to offer the developer 10 lots so it could get started on that commitment for 100 houses. He stated that he was not looking for a timetable, but he wanted those 10 lots to serve as an incentive, and he wanted the City to assist the developer with those 100 units. Commissioner Moore said he had discussed this with the developer, and there was no objection to language that would not trigger other reverters in the development agreement.

Commissioner Moore asked if affordable lots were available. The City Manager stated that the problem was not so much with the availability of the lots but with the appropriate method of conveyance. He explained that they could not simply be conveyed to a private developer, but perhaps there was a mechanism to convey them to the Housing Authority to make the lots available for this purpose. Mayor Naugle thought that if the City Manager could find a way to convey those lots, the matter could be placed on an upcoming agenda.

Mr. Ladd said he had spoken with his Attorney recently, and he thought it was best to keep the development agreement as "clean" and simple as possible. He advised there was a concern that the housing side could cause problems with financing, so his Attorney had suggested a reference to this housing commitment in the development agreement, and a second, simultaneous development agreement to govern the housing commitment. Commissioner Moore did not want to tie up the timelines for the office development, but he felt it was the City's duty to fulfill the promise made to the community by whatever method was appropriate. He had no objection to a separate agreement.

Commissioner Smith was glad something would be done with this parcel after three years of discussion. However, he was not willing to support closed down shopping centers at the entrance to the City on Broward Boulevard any longer. He felt those buildings should be demolished and grass planted in the meantime. Mr. Witschen noted that the drafted development agreement called for demolition by the end of the year. He advised that everyone would do everything possible to accelerate the process, but the Lakeview Apartments would then be visible from Broward Boulevard, which might be a consideration.

Commissioner Smith asked if the developer would be willing to let the City demolish the shopping center and reimburse the cost upon closing. Commissioner Moore understood the Housing Authority properties were 20% occupied, and he preferred to take out the old buildings at the same time. Mr. Witschen advised that the apartments could not be demolished before title was taken. Mr. Ladd said that once the development agreement was executed, he would be happy to put up some green screen fencing around the property. He expected that to occur within the next four weeks, and there was a commitment to do the demolition by the end of this year.

Mayor Naugle noted that the boards had been painted as required by the Code. Commissioner Smith believed some of the boards had been ripped off the building. Mayor Naugle thought there might be issues related to demolition and impact fees associated with the County. The City Manager agreed there would be some transportation impact fees. Mayor Naugle was concerned about losing the credit for the impact fees. Commissioner Moore appreciated the screening as an alternative to minimize the visual impact, but he wanted both of the properties demolished as soon as possible. Mr. Witschen added that the December demolition date was the outside date, so demolition could take place sooner.

Mayor Naugle referred to deed restrictions as to the use of the property for commercial/office development. He thought that language was necessary, but he wanted to make it clear to the developer that if it felt some other type of development could be added to make the project more feasible, it would be considered by the Commission. Commissioner Moore did not support the idea. He believed specifying the use in the development agreement had a purpose. Mayor Naugle agreed it was necessary in the development agreement, but he wanted to hear it if the developer determined some other use might be better due to the economy or market conditions.

At 3:47 p.m., Commissioner Smith left the meeting.

Mayor Naugle felt the language related to postponement or suspension of the development should indicated that the CRA or the City Commission would make such a determination.

At 3:48 p.m., Commissioner Smith returned to the meeting.

Mr. Witschen noted that the specific criteria that would allow the developer to take advantage of the 24-month period would be defined in the development agreement, and any event beyond that would be up to the City Commission sitting as the CRA.

**Action:** Approved as discussed.

#### **I-C – Proposed Development on Las Olas Municipal Parking Lot – Palazzo Las Olas Group**

A discussion was scheduled on the preliminary site plan for the Las Olas Municipal Parking Lot and status of negotiations with the Palazzo Las Olas Group. The City Manager pointed out that an exhaustive written report had been provided, and staff was present to discuss the details.

Commissioner Smith said he had been disappointed to learn that a drafted memorandum on this item had been issued to Mayor Naugle prior to the rest of the Commission, and it had been communicated to the Miami Herald. The newspaper had then called him for comments, but he had not received it yet. Commissioner Smith did not feel that was the proper way to conduct business. Mr. Witschen explained that one-on-one meetings had been held with each Commissioner, and Mayor Naugle had requested the document. Commissioner Smith noted that the rest of the Commission had not received it until two days later.

Mayor Naugle agreed with Commissioner Smith that all the Commissioners should receive information at the same time. Commissioner Smith felt it had been incorrect for Mayor Naugle to send it to the press. Mayor Naugle pointed out that even drafted documents were public records. Commissioner Katz suggested that whenever a staff member delivered a document to one Commissioner, he or she should also deliver copies to the other members of the Commission. It was agreed.

Mr. Witschen stated that this site plan was essentially the same as the site plan presented in the past. He noted that it was important to maintain pedestrian and traffic circulation along the waterfront, and the concept involved 1,000 public parking spaces in two phases, with 700 in the first phase and 300 in the second. Mr. Witschen expected to be back in six weeks with a term sheet for Commission review.

*Mr. Steve Tilbrook*, Attorney representing the Palazzo Las Olas Group, stated that several issues had been resolved that had been delaying negotiation of a development agreement, but the term sheet would be negotiated over the next six weeks. He displayed the site plan and noted it had changed very little from the site plan originally submitted in response to the RFP and selected by the City Commission. The number of residential units on the north side remained unchanged, and 1,000 public parking spaces were proposed along with the same amount of commercial space. Upon questioning my Commissioner Moore, Mr. Tilbrook advised that there would be a total of 1,500 parking spaces, and 1,000 of them would be for the exclusive use of the public. Of the remaining, 300 would be designated for commercial use, and 200 would serve the residential use. Mr. Tilbrook added that the City would manage all of the parking on the north side, and the City would receive the revenue.

Mr. Tilbrook said that the original site plan had called for a five-story building, but that would be increased to six stories for a rooftop restaurant of 4,000 square feet. He advised that the parking garage area would be 60' in one area and 74' tall in another. Mayor Naugle understood a portion of the north building would be seven stories. Mr. Tilbrook agreed that was correct, with the rooftop restaurant.

Mr. Tilbrook stated that a two-way road would run along the water, with the appearance of a promenade, in order to encourage slow driving, and significant improvements were planned. Commissioner Smith said there was real concern from the beach area about the Las Olas loop. Mr. Tilbrook said that Las Olas Circle would be fully preserved as a two-lane road all the way from Las Olas Boulevard to Birch Road, and it would have curves and pavers. He thought there might be occasions, such as festivals, when the road could be blocked off, but this project proposed a fully functional, two-way road.

Mr. Tilbrook said that the condominium tower on the south side of the project had been shifted slightly to protect a triangular section of historic right-of-way, and a park setting with a municipal structure for lifeguard facilities would still be provided on Parcel B. He noted that the operation of Birch Road would be improved, and the connection of Las Olas Circle with Birch Road would be refined to make it safer. Mr. Tilbrook stated that these plans had been submitted for pre-DRC approval last week, even though a development agreement had not yet been executed. He said the developer wanted to move forward quickly, so site plan approval was being pursued while the term sheet was being negotiated into a development agreement.

Commissioner Smith inquired about a grocery store. Mr. Tilbrook pointed out the area on the site plan where a market of 10,000 square feet was planned, which provided visibility from Las Olas Boulevard. Mayor Naugle asked if it would be a convenience store. Mr. Tilbrook replied that had not yet been decided, but he thought it would be more like a market. Commissioner Smith had heard a rumor that there might be some discussion with Publix. *Mr. Dan Adache*, representing the developer, stated that Publix was not interested in a store this small. Commissioner Smith thought something like a Fernando's Market would be appropriate. He understood there would be other shopping venues along the corridors, and Mr. Adache advised that the retail uses would be along the water and Birch Road.



Commissioner Smith inquired about a trolley stop. Mr. Adache stated that there would be a stop on Birch Road, and he pointed out several other locations where trolley pull-in areas could be provided. Commissioner Hutchinson inquired about loop on Las Olas Circle. *Mr. Paul Kissinger*, EDSA, stated that there were opportunities for stops at Marina locations. Commissioner Hutchinson asked how wide the sidewalks would be, and Mr. Kissinger replied that they would be 10' to 12' on both sides of the street, plus an arcade, but the drawings had not been refined to that degree yet.

Commissioner Katz asked if there would be regular asphalt or paving. Mr. Tilbrook stated that the value of public improvements would be evaluated during the negotiation of the development agreement as compared to the value of the leasehold interest. He advised that the developer could consider increasing the amount of paver surfaces. Commissioners Hutchinson, Smith and Katz felt there should be pavers along the waterfront. Mayor Naugle thought the same paver pattern used on the wave wall on A-1-A might be appropriate. Mr. Tilbrook was sure EDSA could help in this regard.

Commissioner Smith inquired about "Area AB." Mr. Tilbrook advised that a municipal facility containing 3,000 square feet was proposed in a park setting. He envisioned a visitors' setting and lifeguard headquarters. Mr. Witschen noted that parking here was not anticipated. Commissioner Smith thought a few spaces would be needed. Mr. Tilbrook believed that issue could be addressed.

Commissioner Moore liked the site plan and was elated, except that it did not make sense to him to have a roadway through it. Mayor Naugle felt that was necessary so local residents could get in and out. Commissioner Moore was concerned about pedestrians, particularly since everyone agreed a pedestrian-friendly place for public gathering was desirable. He did not recall the original site plan showing that roadway. Commissioner Smith said his constituents in the area insisted on it. Mayor Naugle believed that whenever this project had been discussed, commitments had been made to the people to keep the road open. Commissioner Katz believed a pedestrian-friendly environment could be accomplished with the wide sidewalks, paver streets, crosswalks, etc., along the waterfront promenade area.

Commissioner Smith felt too much parking was being constructed because different crowds would use the parking at different times of the day. He displayed some photographs of the BridgeSide Parking Garage that he had taken this week, and he felt it was too big and ugly. Commissioner Smith thought 1,500 were entirely too many parking spaces, and 1,200 might even be too many. Mayor Naugle recalled that he had voted against the BridgeSide Garage. However, perhaps one day the Oceanside Lot would be used for a park, and people could be shuttled from the Las Olas parking. Commissioner Smith agreed that would be a good idea. He envisioned some type of lawn and amphitheater. Mayor Naugle thought if 1,500 spaces were built in the subject location, the City could work toward that goal.

Commissioner Moore thought the price for parking was too high at the BridgeSide Garage, which could be one reason it was not used much. Commissioner Smith believed the City parking was \$1.50 an hour. The City Manager advised that public parking on weekends was \$5 per visit, while the valet parking was \$3. Commissioner Moore did not think that made sense.

Commissioner Smith said his point was that this developer was being forced to construct too much parking. Mayor Naugle felt the 1,500 spaces should be built, and then the idea of a four-story parking garage on the Oceanside lot could be dropped.

Mr. Chuck Adams, Manager of Redevelopment Services and Marine Facilities, advised that the RFP had required 1,000 public spaces and meet its own private parking needs. Mayor Naugle asked how much the developer would pay for the land. Mr. Adams replied that the appraised value for the combined property was just under \$10 million, and the developer was providing the 1,000 public parking spaces. Mayor Naugle suggested a payment, of perhaps \$3 million, instead of 300 parking spaces. Mr. Tilbrook explained that the City Commission had directed staff to find a way to build all 1,000 public parking spaces at one time. The developer had negotiated a way to do that in two phases.

Commissioner Moore disagreed with Commissioner Smith. He felt this parking was needed and the location was most viable in terms of the beach area. Commissioner Moore felt all 1,500 spaces should be constructed and noted there had been discussion about building even more parking at Sunrise Boulevard. Commissioner Smith thought it would be a better plan to build 1,200 in this location and 500 more spaces at Sunrise Boulevard. He believed the trolley could connect the two.

*Mr. Joe Hessmann*, of the Central Beach Alliance Board, wanted to congratulate the developer on a job well done. He believed this project would turn the property into something everyone could enjoy, and he related a historical anecdote about the site. Mr. Hessmann believed traffic had been the primary concern on the beach since 1938, but strides were being made. He felt it was necessary to activate Birch Road to the fullest extent, with the traffic flow from this development placed on that roadway. Mr. Hessmann described the traffic patterns in the area and thought everyone would be happy with a traffic signal and a beautiful entryway.

*Mr. Art Seitz*, beach area resident, stated that the population of Fort Lauderdale and Broward County had probably doubled over the past 15 or 20 years, and the traffic congestion and lack of infrastructure on the beach caused traffic to back up for miles to the west. He thought it made a lot of sense for the people to get around better, and he felt additional signage directing people to existing parking would be beneficial. Mr. Seitz believed it would be ridiculous to reduce the number of parking spaces proposed in this project because he thought 3,000 to 5,000 might be needed. He did not want Fort Lauderdale to look like Miami Beach.

*Ms. Shirley Smith*, of the Central Beach Alliance, stated that the Alliance had recommended this particular project because it kept Las Olas Circle open all the way around, and she felt that was essential because there were thousands of cars circulating through the area. Ms. Smith hoped the street would never be closed to vehicles turning left onto Las Olas Boulevard.

Mayor Naugle asked what would happen if a developer built a portion of the project and then did not complete the balance. Mr. Witschen did not anticipate this to be a phased development, although target timeframes would be negotiated in the development agreement. He stated that the parking would be phased in order to maintain as much as possible during the construction process.

Mayor Naugle noted that pre-sales could be done on the condominium, but the Commission wanted to make this like a village, so the shopping component and garage were very important. He felt a guarantee was necessary in that respect to ensure those features were, in fact, constructed. Commissioner Smith agreed that if the project had to start on one side or the other, the first should be the public improvements. Mr. Adams noted that the concept was dependent upon the developer demonstrating that financing for the entire project had been obtained. Mayor Naugle pointed out that just because financing was obtained, there was no guarantee the project would be completed, and he wanted the project watched closely to ensure the City was not left with half a project.

Commissioner Moore understood this developer had the financing volume to perform this project, although he agreed with Mayor Naugle and Commissioner Smith insofar as having the public portions of the project completed first. He understood the desire to maintain the Las Olas Circle, but he felt a valid point had been raised about rooftop uses or some opportunity to benefit the view by a retail use of some sort. Commissioner Smith noted that there were people living across the street that had to be considered if a restaurant or other activity was proposed.

Mr. Adams stated that all of the north side would be wrapped with the apartments facing the west except for the sixth level, so he believed all view opportunities would be addressed. He noted that there were not elevations available of the current plan, but the views had not changed much from the previous elevations. Commissioner Moore asked what was proposed on top of the building. Mr. Adache stated that the center building would have a pool and amenities for the residential component on the roof, a restaurant with gardens on the northern component, and the southernmost of the buildings would have parking and landscaping.

Mayor Naugle asked which building would have parking on the roof. Mr. Adache replied that all three buildings would have some parking on the roof for the residences in order to provide the 1,000 public parking spaces. Mayor Naugle inquired about the northern elevations. Mr. Adache stated that the elevations facing residential property would contain residential units. Mayor Naugle was concerned about the view from the bridge. Mr. Adache said it would be designed to look like apartments on the west side. Mayor Naugle asked if an open garage was proposed. Mr. Adache replied that there could be variations with openings. Mr. Adams explained that these plans were preliminary only, and everything would have to comply with the ULDR, particularly the elevation facing the bridge, which was a gateway to the area.

Mayor Naugle asked if the final elevations would be presented to the Commission. Mr. Adams replied that they would, and this item was only intended as a status report. Commissioner Smith asked if the developer was self-sustaining and could start with the public improvements before the condominium. Mr. Tilbrook stated that the next step would be presales for the condominiums, which would be the primary funding source for the whole project. When the presales reached a certain point, financing would become available for the entire project. Mr. Tilbrook added that a timetable would be negotiated.

Commissioner Smith understood the developer would not mind if the development agreement stipulated the building of the public improvements before the condominiums. Mr. Tilbrook stated that a timetable for the public component would be negotiated in the development agreement. Mayor Naugle thought the Commission would want to require that the parking and public areas be built first. Commissioner Smith asked when the project would be built. Mr. Tilbrook replied that the developer was anxious to get started, but he believed the site plan approval process would take at least six months through the DRC, the Planning & Zoning Board, Commission approval and preparation of detailed drawings.

Mr. Witschen said it would take about six weeks to develop the term sheet. It was the consensus of the Commission to accept the 1,500 spaces.

**Action:** As discussed.

**I-D – Proposed Development for City’s Aquatic Complex – MJQ Development, LLC**

A discussion and update were scheduled on the proposed land exchange and public/private development proposal submitted by MJQ Development, LLC for the City’s aquatic complex project site. Mr. Witschen stated that this proposal was being presented with some analysis requested by the Commission.

At 4:43 p.m., Commissioner Moore left the meeting.

Mr. Witschen noted that three different options had been proposed in the back-up memorandum. Mayor Naugle was disappointed that a fourth option had not been suggested for the City to rebuild the complex using tax increment finance (TIF) funds rather than doing any land swaps. He also understood the City had received a letter from another property owner wanting to explore another development on the peninsula without any sort of land swap.

Commissioner Smith felt this had been stalled long enough and needed to be moved ahead.

At 4:46 p.m., Commissioner Moore returned to the meeting.

Commissioner Smith feared the City was at risk of losing the use of a facility and being known as the swimming capital of the world since other cities were moving aggressively in that direction. He noted that the development team had approval for a condominium, but he was willing to give it up. In lieu of that, the developer had attracted the Hilton Resort. It seemed liked a win/win situation to Commissioner Smith. He understood the developer had agreed to put \$20 million into this facility, which was estimated to cost \$33 million, so at least the City would only have to find another \$13 million. Commissioner Smith believed the cost could be reduced as well, and he did not want to stall this any longer because he thought Pompano Beach would be building an aquatics complex before Fort Lauderdale could maintain its status as the swimming capital of the world.

Commissioner Katz thought the City had to explore all the possible options. She still had concerns about the MJQ financing, and thought perhaps the other group that had come forward should be asked to come back in 30 or 45 days with a presentation. Commissioner Katz was also concerned about density and wondered how people felt about moving the condominium back to the Intracoastal Waterway. She understood the Hilton Company had sent a letter, but it was just a letter and did not mean that a Hilton Resort would follow.

Mayor Naugle noted that \$33 million was the estimated cost if the project included an elaborate parking garage. However, if only the swimming complex were upgraded, the cost would probably be closer to \$10 million to \$14 million. In light of the discussion of the last item, that parking would not be necessary.

Commissioner Hutchinson said she had always been supportive about the possibility of a private developer coming forward, and the public wanted a rebuilt facility. However, she was not sure the general public was willing to pay for it. She liked what she had seen of this proposal, but she did not see a problem waiting another 30 days to examine any other options, although she felt 60 days was too long to wait. Commissioner Hutchinson also wanted staff to explore the potential cost to the public if the City upgraded the aquatics complex.

Commissioner Moore did not understand why the City would consider bonding if there was a private developer willing to support the community's desires at no cost to the public, particularly if a resort type of development was being offered. He said his only concern was that a 60-day delay was being requested in the correspondence received by the City. He wondered if 30 days would be sufficient.

*Mr. Jim Blosser*, representing Boca Resorts, thought 30 days would be tight, and he wondered if staff could provide the necessary assistance that quickly. Mayor Naugle suggested a presentation at the June 4, 2002 meeting. Commissioner Moore wondered where Boca Resorts had been while all of this had been under discussion. He pointed out that a developer had spent a lot of money doing preliminary design and obtaining community input. Mr. Blosser said he had been working with staff for about two weeks now, and a plan for the whole south beach area might make some sense. He had been examining how this and Bahia Mar might fit together to form a master plan. Mr. Blosser stated that no commitments were being made, and this was just another option. Commissioner Moore understood Boca Resorts was conducting a "look see."

Commissioner Smith pointed out that MJQ Development already had approval for a condominium and that approval had already been extended. He did not know how much longer that developer would be willing to wait even if the Commission granted another extension. Commissioner Smith understood the Pompano Beach City Commission was meeting today, and he believed there were sufficient votes to move ahead. He honestly believed that if the Swimming Hall of Fame construction commenced in Pompano Beach, it would be damaging to Fort Lauderdale.

Commissioner Moore was not concerned about Pompano Beach, but he did feel the Commission had to retain its integrity when people came in and tried to work with the City. He pointed out that MJQ had come to the City with a proposal, and then they had been taken through every stage of the process for months. He felt this was a "fish in the hand," and did not understand why this should wait.

*Ms. Susan Petersen* said she had been swimming in Fort Lauderdale since 1962, and she had provided the Commission with the history of the original Casino pool, but she had only heard about this in today's newspaper. Therefore, she was concerned about the fact that the public had no notice that the City was about to give away this property. She did not think anyone should worry about Pompano Beach, and the Commission indicated they were not worried about it. Ms. Petersen did not want to lose the view of the sunset over the pool when she went for her evening swim, and she did not feel there would be any way to control who went in and out of the facility if there were a condominium or a hotel built, which was a concern in light of the young people who used the pool.

*Ms. Anne Hilmer*, 620 Idlewyld Drive, submitted a list of residents who were opposed to swapping this public land for private development. She also submitted faxes from several others who had to leave or had been unable to attend this hearing. She said she had purchased her property with the knowledge that the property across the water was a City operated aquatic center for citizens and tourists. Ms. Hilmer did not think the City should swap this 1-1/2 acres for a 3/4-acre parcel to help a developer. She also did not feel the pools should be raised above ground because it would create a cement tunnel. She noted that residences were not permitted in this district, so she did not understand how a condominium could be constructed on this property.

Ms. Hilmer saw no reason to build another hotel because the hotels on the beach were not full now. She was concerned about the gridlock on Seabreeze Boulevard, and if this land were given away, it would be gone forever. Ms. Hilmer supported the idea of a bond issue to rehabilitate the pools at the City's expense, and perhaps with private participation, and she would do everything she could to help in that effort. However, she wanted the site to remain as a refurbished aquatics complex.

Ms. Hilmer said she had walked from Boca Raton to Miami recently, and she had observed how the different cities had maintained their beaches and barrier islands or had failed to do so. She felt there was a major difference between how each of those cities had allowed development in the beach areas, and the citizens of Fort Lauderdale did not want the City to give public lands away.

*Mr. Art Seitz* agreed with the points raised by Ms. Hilmer. He was concerned about traffic, congestion, and out of control growth, and he was concerned about the direction being taken in Fort Lauderdale because developers got whatever they wanted if they had the right lawyer. Mr. Seitz stated that the barrier island was a precious asset that should be protected and enhanced, and he did not think this project would have that effect.

*Ms. Shirley Smith* hoped the Commission would not do this land swap because no one wanted it. She pointed out that the City only had two properties left in the beach area, and the residents did not want anything except for the pool facility to be rehabilitated.

*Mr. Jack Phillips* noted that the Hall of Fame should be distinguished from the pools. Mayor Naugle agreed the Hall of Fame was a museum, which might or might not be moved to Pompano Beach, but the aquatics complex belonged to the City of Fort Lauderdale. Mr. Phillips did not think the Hall of Fame would have anything to do with whether or not various national and international swimming events were held in Fort Lauderdale.

*Mr. Ross Easter* supported this development. He noted that this was supposed to be a public complex, but he had never felt welcome. Mr. Easter thought this was a good deal for the City if the developer was willing to make the renovations to the aquatic center, and he did not think the taxpayers wanted to pay for it. He felt the idea made sense because the aquatic center had needed renovations for the last 10 or 15 years.

Mayor Naugle noted that traditionally when public property was going to be disposed of, there had been some type of Request for Proposal (RFP) process, but staff was suggesting entering into this without any bids or RFP. He understood that could be done legally because it was being called some sort of a swap, and entering into some kind of agreement when only one party had expressed interest would be a deviation from the usual process.

Commissioner Smith recalled a discussion last year about this parcel, and Mayor Naugle had been in favor of allowing private development take over the entire peninsula to construct two major towers and townhouses with no public access. Now, it appeared Mayor Naugle was telling the press that his colleagues were giving away public land. Commissioner Smith said that had offended him, and he thought the other Commissioners were as well. He felt this particular proposal would keep the peninsula in the public realm and provide a nice pedestrian promenade around the entire project. Further, it would rebuild a beautiful facility on the Oceanside, which was the location of the original Casino Pool.

Commissioner Smith noted that there had been discussion about just leaving the facility in its current condition. He wondered if Fort Lauderdale could continue to attract the national and international swim meets. Mr. Stu Marvin, Parks & Recreation Department, stated that the facility was 36 years old and needed to be rebuilt. Commissioner Smith wanted to hear from the entity that was willing to swap oceanfront land. He wondered if that group was willing to hold off another 60 days.

*Mr. Ron Mastriana* stated that selling of the Ocean Club units had been halted more than 6 months ago, and 90 days ago, the Commission had directed the group to work with staff. That had been done, and a contractor had been consulted to ensure accuracy of the figures. Mr. Mastriana believed this project was exactly what was wanted and needed in Fort Lauderdale based upon the input of City staff. He felt the proposal put cash into the construction, and the dollars paid in by the developer would result in a "wash" for the citizens because it would pay for the entire facility.

Mr. Mastriana said he lived in the beach area and paid a great deal in taxes, and he did not think the taxpayers would be willing to pay for this facility. He advised that this developer could do exactly what the City wanted without any cost. Mr. Mastriana understood Bahia Mar wanted to tie its master plan in with this property, and he totally agreed both master plans should be tied together. He advised that delays cost the developer \$150,000 per month.

Mayor Naugle recalled that he and Commissioner Hutchinson had supported an earlier proposal to move the aquatics complex to the north side of the Las Olas Bridge along the Intracoastal Waterway. That proposal had included a development on the peninsula, but that development had been a low-rise facility along the waterway, with the larger buildings along Seabreeze Boulevard. He pointed out that this proposal called for a massive 284-unit condominium/hotel on the end of the peninsula on the waterway. Furthermore, this proposal called for swapping  $\frac{3}{4}$  of an acre on the Ocean, some of which could not be built upon because of the coastal construction line, for 2-1/4 acres of property on the Intracoastal Waterway because the garage would take  $\frac{3}{4}$  of an acre. In addition, there was a funding gap that would have to be funded with tax increment. Mayor Naugle did not think that gap would be as large if an at-grade swimming facility without a parking garage and retail were constructed.

Mayor Naugle could not recall another instance of disposing of a significant piece of public land without going out for proposals so everyone had an opportunity. He hoped the Commission would not stray from that policy now. Commissioner Smith believed the earlier proposal had offered the City nothing in return, while this proposal would result in the City obtaining the oceanfront land. He wondered, however, if this developer would be willing to move the larger buildings closer to Seabreeze Boulevard. Mayor Naugle thought that might be a better proposal, but he believed the public was tired of all these large developments when all the taxpayers wanted was a rehabilitated aquatics facility.

Commissioner Hutchinson wanted to discuss "Option 4" on June 4, 2002, in which the City would simply rehabilitate the aquatics facility without any commercial development. Commissioner Katz wanted to wait another 30 days in order to hear from other potentially interested parties and to consider Option 4.

Commissioner Smith was willing to go along with this plan of action, although this developer might need another extension. Commissioner Moore believed the best way to handle these types of situations was through public/private partnerships, and his only concern was the cost of the delay to this developer, who had been working with the City for some time. The City Manager wished to clarify that the idea of the City rehabilitating the aquatics facility had been presented in February, but that information could be brought back again on June 4, 2002.

**Action:** Subject to be considered on June 4, 2002.

#### **I-F – Education Advisory Board**

It was the consensus of the Commission to defer the presentation on the Education Advisory Board's current activities and priorities, as well as the City's participation with the National League of Cities Municipal Leadership in Education project.

**Action:** Deferred to 1:30 p.m. on May 7, 2002, 1<sup>st</sup> Conference Item.

#### **I-E – North Broward Hospital District Medical Office Building**

A presentation was scheduled on a proposed project for the North Broward Hospital District Medical Office Building to be located on South Andrews Avenue across from the North Broward Hospital District campus, as requested by Commissioner Hutchinson.

*Mr. Doug Eagon*, of the Stiles Corporation, described the proposed project, which called for a medical office building of approximately 180,000 square feet, including 20,000 square feet of ground level, pedestrian retail space. He reported that the Hospital District had been working with a variety of people on this project over the past 60 days, including City staff, the South Andrews Business Association, and Commissioner Hutchinson. Mr. Eagon stated that this was basically a courtesy presentation, and no action was requested today.

*Mr. Pete Dalner*, Architect, displayed the site plan for the project pointing out the various features of the proposal. Commissioner Hutchinson understood the intent of vacating 16<sup>th</sup> Street was to narrow it, but it would still be a throughway. Mr. Eagon agreed that was correct. Mayor Naugle asked if the on street parking on Andrews Avenue would be retained, and Mr. Eagon replied that it would, and some parking would be gained at the rear.

*Ms. Jeryl Madfis*, South Andrews Business Association, stated that the Association strongly supported and welcomed this development. She submitted a letter detailing the Association's position.

Commissioner Hutchinson stated that a parking was being built on the east side of Andrews Avenue to accommodate retail uses on the ground floor. Once that was operating and once this building was operating, there would be retail uses and parking on both sides of the street. She felt this would be a catalyst for the neighborhood, and she commended the developer for working so closely with all the parties involved. Further, she expressed appreciation for this informal presentation to the Commission.



Mayor Naugle pointed out that there would be public hearings during the approval process, and he hoped there was an effort made to reach out to the people on 1<sup>st</sup> Avenue, along the railroad tracks, etc.

**Action:** None.

**I-G – Permit Fee for Rain Shut-Off Device**

A discussion was scheduled on the City's participation in the Rain Shut-Off Device Pilot Program and the donation of permit fees for rain shut-off devices, as request by Mayor Naugle. See also Item R-5 on the Regular Agenda in this regard. Mayor Naugle wondered how many sprinkler meters there were and if the owners could be notified that these could be utilized to conserve water. Mr. Greg Kisela, Assistant City Manager, stated that the Water Management District targeted large users. He added that rain shut-off devices had already been installed in the parks and medians.

**Action:** Approved.

**I-H – Section 47-19.3 – Boat Slips, Docks, Boat Davits, Hoists and Similar Devices – Modification of Berthing Envelopes for Properties at Canal Ends**

A discussion was scheduled on a proposal to create a new Code section for the modification of berthing envelopes for properties at canal ends. Commissioner Katz believed this proposal had resulted from two situations in her district. She said several people had examined the proposed ordinance, and she felt it was acceptable.

*Mr. Franklin Greaves*, 5750 Bayview Drive, did not object to the ordinance, but he was concerned about a neighbor's vessel, which was obstructing boat traffic, and nothing had been done. Mayor Naugle thought the boat might be too big. *Ms. Yvonne Greaves* stated that the boat should only be 22' to 23', but her neighbor's boat was 38'. Mr. Pete Witschen, Assistant City Manager, agreed to follow up on that situation.

It was the consensus of the Commission to move forward with an ordinance, and to take this issue to the Marine Advisory Board prior to first reading of the ordinance.

**Action:** Approved as discussed.

**I-I – 2002 Transportation Enhancement Grant Application Cycle – Broward County Metropolitan Planning Organization (MPO)**

A discussion was scheduled on proposed projects to be submitted to the Broward County MPO for funding transportation enhancement projects for the Fiscal Year 2003/2004 to 2007/2008 funding cycles.

Commissioner Hutchinson wished to delete the Cordova Road sidewalks and add Davie Boulevard, from I-95 to west of State Road 7. She believed the Commission would soon be hearing a presentation from the Florida Department of Transportation (FDOT) about a project on Davie Boulevard that was not yet funded. Commissioner Hutchinson said some work had been done toward that end, and she did not want to use transportation monies for sidewalks on Cordova Road.

Commissioner Smith understood the Commission needed to select two projects. Mr. Hector Castro, City Engineer, stated that the Commission had the option of choosing two or up to four projects. It was recommended that two projects not funding in the last cycle be resubmitted, along with two new projects. Commissioner Katz thought the Riverwalk project listed was going to be funded by the County. Mr. Castro advised it was being funded through a FIND grant, and this would help the City meet the match amount. Commissioner Smith felt that was the most important project on the list.

Mayor Naugle wanted to resubmit the two unfunded projects from previous years. Mr. Castro noted that this funding could not be used for the 7<sup>th</sup>/9<sup>th</sup> Avenue connector because the money could only be used for bicycle lanes, pedestrianways, and landscaping. He believed that seeking this money for that project could jeopardize funding for other projects. Commissioner Hutchinson wanted to submit Davie Boulevard. Commissioner Moore suggested Northwest 19<sup>th</sup> Street Median Enhancements.

Commissioner Katz inquired about the A-1-A greenways project. Mr. Castro noted that the application deadline was May 1, 2002, and no engineering studies had yet been performed, so he did not think a sufficient package could be prepared in time for this funding. He advised curbing for Davie Boulevard was not included in the project. Commissioner Moore inquired about the Swaggo property at Davie Boulevard and State Road 7. Mr. Castro thought this funding source might be a "stretch" for that property.

It was the consensus of the Commission to submit Northeast 15<sup>th</sup> Avenue, Northeast 18<sup>th</sup> Avenue, Davie Boulevard, and Northwest 19<sup>th</sup> Street.

*Mr. Art Seitz* felt this would be a good time to ask the County to fine-tune its plans for the A-1-A greenway. He wanted the County to define the south end of the A-1-A greenway as being the east end of the I-595/84 greenway.

**Action:** 4 Projects to be submitted as discussed.

### **III-B – Advisory Board Vacancies**

#### **1. Charter Revision Board**

The Commission wished to reappoint Ed Curtis, Debbie Orshefsky, Mike Lockwood, Dan Lewis, and James D. Camp Jr. to the Charter Revision Board.

**Action:** Formal action to be taken at Regular Meeting.

#### **2. Civil Service Board**

Mayor Naugle wanted to reappoint Kaye Pearson to the Civil Service Board. The City Manager wished to reappoint Art W. Kennedy.

**Action:** Formal action to be taken at Regular Meeting.

#### **3. Community Appearance Board**

**Action:** Deferred.

4. Community Services Board

**Action:** Deferred.

5. Education Advisory Board

Commissioner Hutchinson reappointed Egle V. Gallagher to the Education Advisory Board.

**Action:** Formal action to be taken at Regular Meeting.

6. Marine Advisory Board

Mayor Naugle reappointed Lee Marteeney to the Marine Advisory Board. Commissioner Katz wished to reappoint John Pisz.

**Action:** Formal action to be taken at Regular Meeting.

7. Nuisance Abatement Board (Alternate)

Commissioner Katz wished to interview Don Larson for this Board. Commissioner Smith advised that Ted Fling had also expressed interest in the Nuisance Abatement Board.

**Action:** Interviews to be scheduled for May 7, 2002.

8. Planning and Zoning Board

Commissioner Smith wanted to appoint Alysan Childs to the Planning and Zoning Board.

**Action:** Formal action to be taken at Regular Meeting.

9. Unsafe Structures & Housing Appeals Board

Commissioner Hutchinson wished to appoint Charles H. Schneider, an electrical contractor, to the Unsafe Structures & Housing Appeals Board.

**Action:** Formal action to be taken at Regular Meeting.

10. Citizen Review Board

Commissioner Moore wanted to appoint Gerlyn Cadet to the Citizen Review Board.

**Action:** Formal action to be taken at Regular Meeting.

**IV – City Commission Reports**

1. Lake Mabel

Commissioner Hutchinson suggested that a resolution be walked on to the Regular Agenda this evening asking the County not to rename Lake Mabel. It was agreed.

**Action:** Resolution to be presented at Regular Meeting.

At 5:47 p.m., the meeting was recessed. It was reconvened at 11:30 p.m.

2. Police and Firefighters' Appreciation Day

Commissioner Smith wished to recognize the presence of *Ms. Kim Warren* and her husband. He advised that Ms. Warren was this year's Chair of the Police and Firefighters' Appreciation Day planned for September 14, 2002. Ms. Warren explained that this event was planned to honor Fort Lauderdale's hometown heroes, and she had put together a small packet of information. She described some of the preliminary arrangements and requested the Commission's endorsement and that the City provide and set up the showmobile and sponsor the event for purposes of insurance coverage.

Mayor Naugle thought this would be a big event that would attract enough sponsors to cover the expenses. He said he would be happy to make some calls to help raise some money. Commissioner Smith suggested Ms. Warren return with a status report in a month or two. Mayor Naugle requested a budget as well.

**Action:** Approved.

3. Airplane at Holiday Park

Commissioner Smith requested a status report on the refurbishing of the airplane at Holiday Park. Mayor Naugle asked for input from the Parks, Recreation & Beaches Advisory Board as to where it should be located when the work was completed. Commissioner Smith favored the historical location at the entrance to Holiday Park on Sunrise Boulevard.

**Action:** Status report to be provided a discussed.

4. Sunrise Boulevard Landscaping

Commissioner Smith was disappointed about the fact that bricks were being installed on Sunrise Boulevard instead of greenery. The City Manager said he had received an update today. He explained that there had been a delay on the project because the Project Engineer had been called to active duty, and her replacement had been hospitalized. The City Manager said there was a new project engineer as of today, and the County was in the process of negotiating with EDSA for a contract to do the landscaping design up to \$500,000.

Mayor Naugle asked if the new bricks were now going to be removed. Commissioner Smith was concerned about doing the project twice. Mayor Naugle agreed he had been disappointed when he had seen bricks instead of a few trees, and now they would have to be dug up. Commissioner Smith asked when the landscaping would be installed. The City Manager said he would provide a timetable as soon as possible. Commissioner Smith felt there should be accountability in this respect. The City Manager advised that the City Engineer was handling this project.

**Action:** As discussed.

5. CVC Project – Paint and Splash

Commissioner Hutchinson reported that her first CVC project, Paint and Splash, had been a success, and she thanked the City departments that had participated. She also expressed appreciation for the support from the Las Olas Riverhouse, Gill Hotels, Christine and Harry Teel, Alice Kemphorn, the law office of Mastriana & Christenson, Krispy Krème Donuts, and T-Max. Commissioner Hutchinson said the project had been done in an hour, and then there had been a lifeguard presentation. She advised that 45 people had participated, and the next project would involve cleaning out invasive plants from the nature trails at Snyder Park on June 15, 2002.

**Action:** None.

6. FAA Public Hearing on Expansion of South Runway

Commissioner Hutchinson had been out of town when the FAA had held its public hearing about environmental impacts associated with the South Runway Expansion project. She was disappointed that there had been no participation from the City at that meeting. It seemed as if the project was taking a turn, and she was concerned because there was a large contingent of people from Dania, Hollywood and Davie that opposed the project. Commissioner Hutchinson believed that when the Interlocal Agreement had been signed, Dania had supported expansion of the South Runway. She was concerned that Fort Lauderdale was not doing enough because if the South Runway was not expanded, there would be problems, and she felt Commissioner Rodstrom's support was slipping.

The City Manager stated that Bill Crouch, Manager of Executive Airport, had always been the City's liaison with the Airport. It was his understanding that the people were not so much opposed to expansion of the South Runway, but to any expansion at all. Commissioner Hutchinson agreed that was true. The City Manager said he had heard varying reports, including reports that people had spoken in support of expansion. He agreed to provide a report.

Mayor Naugle pointed out that Fort Lauderdale bore most of the burden of the Airport, and the other communities were not sharing in the noise burden but wanted their names on the facility. He suggested Commissioner Smith raise the issue with the Tourist Development Council (TDC), and he agreed to do so at the next meeting on Thursday. Commissioner Smith requested a copy of the agreement that had been signed in 1997 before that meeting. Commissioner Hutchinson added that the recently annexed Lauderdale Isles area had adopted a resolution and was actively pursuing the South Runway expansion, and that was the only viable alternative as endorsed by the Federal Aviation Administration (FAA).

**Action:** As discussed.

7. Wingate Ribbon-Cutting Event

Commissioner Moore reported that there would be a Wingate ribbon-cutting event on April 27, 2002, and he hoped the Commission could all attend.

**Action:** None.

#### 8. Off-Duty Police Details

Commissioner Moore wanted to consider the legal ramifications associated with off-duty police details. He felt the City should be named as an additional insured against cases brought against the City under such circumstances. Mayor Naugle suggested that staff research the idea of requiring that and how other cities handled off-duty details, and then schedule it for Conference discussion. Commissioner Moore agreed that was exactly what he was suggesting.

**Action:** Staff to investigate and provide information for additional discussion.

#### 9. Cleaning Up After Dogs

Commissioner Katz said she had sent an e-mail to the Police Chief about the problem of people failing to clean up after their dogs. It was a problem that was coming up in neighborhood after neighborhood, and people were becoming angry about it. The Police Chief advised that he was looking into what could be done to help alleviate the problem. He noted that there had been an education effort along the Galt Ocean Mile, which had been somewhat successful, and it would be helpful if Commissioner Katz indicated which neighborhoods should be a focus. Commissioner Katz stated that complaints were coming from Knoll Ridge, Coral Ridge Country Club, and the Galt. Commissioner Smith recalled past discussion about a pooper-scooper law, and it had been indicated that a police officer would have to catch a canine defecating in order to enforce it. Commissioner Katz pointed out that it worked in other communities.

**Action:** Staff to investigate and take action.

#### 10. Livable Cities Conference – St. Augustine

Commissioner Katz reported that she and Commissioner Hutchinson had attended the Livable Cities Conference in St. Augustine recently. She advised that there had been discussions about transit, pedestrian-oriented areas with wide sidewalks and plazas. Commissioner Katz had purchased a book in this regard that she intended to share with the Commission. She noted that Stranahan Park was under utilized, and she thought the Parks & Recreation Department should consider some ways to make it an active, viable park.

Commissioner Hutchinson also wished to consider a plaza square for the beach area on the Oceanside Lot. She thought a Friday farmers market might be appropriate at Stranahan Park. Commissioner Smith recalled some discussion about a lunchtime theater by the Fort Lauderdale Players. Commissioner Katz agreed activities like music at lunchtime would be nice.

**Action:** As discussed.

#### 11. Ethics Commission Complaint

Mayor Naugle felt the Commission should consider hiring special counsel to address the Ethics Commission complaint that had been filed. He thought perhaps one party could represent all 5 of the Commissioners. The City Manager explained that the case had been filed by Leola McCoy and Kwame Afoh. Mayor Naugle thought the City Clerk could help prepare a short-list of law firms to consider since she had not been named in the complaint.

The City Manager advised that the City Attorney had retained his own counsel in Tallahassee, and he was in the process of checking with each of the individual Commissioners to see if they wanted representation from that firm as well. Commissioner Smith asked that the City Attorney provide information on May 7, 2002. Mayor Naugle did not feel it would be appropriate for the Commission to have the same Attorney who was representing the City Attorney.

Commissioner Smith thought the complaint would probably be dismissed quickly. Mayor Naugle asked the City Clerk to provide a list of Attorneys with hourly rates, background information and experience in case the complaint did not move forward. There were no objections.

**Action:** As discussed.

### **V – City Manager Reports**

1. Broward County Land Preservation Advisory Board

The City Manager announced that there would be a special meeting of the Land Preservation Advisory Board on May 2, 2002. He distributed some information about how the meeting would likely proceed, and staff would provide additional information later. He encouraged the Commissioners to attend so community support could be demonstrated. Commissioner Smith understood a five-minute presentation would be allowed for each project. Commissioner Hutchinson understood there would be 11 presentations before Fort Lauderdale, so she estimated the City's presentation would be heard at about 9 a.m.

**Action:** Staff to provide additional information.

2. Subarea Mobility Status

The City Manager stated that a meeting had been held yesterday on the Subarea Mobility Status, and it had been requested that some additional technical advisors be appointed. He distributed a Friday Memo listing the categories and suggested the appointments be made on May 7, 2002 in time for the next meeting on May 8, 2002.

**Action:** Appointments to be made on May 7, 2002.

Meeting adjourned at 12:05 a.m.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.